

EXHIBIT 11

**REDACTED VERSION
OF DOCUMENT
SOUGHT TO BE SEALED**

Page 1

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

vs.

No. 3:17-cv-00939-WHA

UBER TECHNOLOGIES, INC.;

OTTOMOTTO LLC; OTTO TRUCKING,

INC.,

Defendants.

/

WAYMO HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF WILLIAM MCCANN

SAN FRANCISCO, CALIFORNIA

WEDNESDAY, JULY 12, 2017

BY: ANDREA M. IGNACIO, CSR, RPR, CRR, CCRR, CLR ~
CSR LICENSE NO. 9830
JOB NO. 2653398

PAGES 1 - 295

Page 169

1 [REDACTED] 13:58
2 A By using the -- [REDACTED] [REDACTED]
[REDACTED] [REDACTED] 13:58
4 Q Is the lens [REDACTED] [REDACTED]
[REDACTED] [REDACTED] 13:58
6 MR. JAFFE: Objection; form. 13:59
7 THE WITNESS: [REDACTED] 13:59
8 MR. MUINO: Q. Well, let me first get -- 13:59
9 A [REDACTED] It's a lens, yes. 13:59
10 Q -- let me first get your understanding. You 13:59
11 said [REDACTED] 13:59
12 [REDACTED] [REDACTED]
[REDACTED] ? 13:59
14 A So, [REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED] 13:59
18 Q So by -- by -- by [REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED] 13:59
21 A Yes. 13:59
22 Q And, is the purpose of that [REDACTED] [REDACTED]
[REDACTED] [REDACTED] 13:59
24 A Yes. Yes, it is. Well, yeah. That's not 13:59
25 the only purpose of it, but... 14:00

Page 172

1 A Yes. 14:02
2 Q -- is that correct? 14:02
3 A Correct. 14:02
4 Q As compared to the one we saw on the previous 14:02
5 page where it was -- [REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] 14:02
7 A Yes. 14:02
8 Q Okay. Explain to me how [REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED]. 14:02
11 MR. JAFFE: Objection; form. 14:02
12 THE WITNESS: Repeat the question, please. 14:02
13 MR. MUINO: Yes. 14:02
14 Q Can you explain to me how [REDACTED] [REDACTED]
[REDACTED] [REDACTED]
[REDACTED] [REDACTED] 14:02
17 MR. JAFFE: Objection; form. Excuse me. 14:02
18 THE WITNESS: [REDACTED] [REDACTED]
[REDACTED] [REDACTED] 14:03
20 MR. MUINO: Q. And, [REDACTED] [REDACTED]
[REDACTED] [REDACTED] 14:03
22 A I -- well, the -- [REDACTED] [REDACTED]
[REDACTED] [REDACTED] Is that what you're asking? 14:03
25 Q Yes, essentially. 14:03

Page 173

1 A I mean, you'd have to do some simulation 14:04
2 tools to know exactly, like, how they correspond. 14:04
3 But, you know, [REDACTED] [REDACTED]
[REDACTED]
[REDACTED] 14:04
6 Q Okay. If you'll look at the next page, 14:04
7 '3236. 14:04
8 A (Witness complies.) 14:04
9 Q Do you see the table at the top that says: 14:04
10 [REDACTED] 14:04
11 A Yes. 14:05
12 Q And this table has [REDACTED] 14:04
13 correct? 14:04
14 A Uh-huh, yes. 14:04
15 Q Do you see that? 14:04
16 A Yes. 14:04
17 Q Okay. And then there is [REDACTED] [REDACTED]
[REDACTED]
[REDACTED] 14:04
20 Do you see that? 14:04
21 A Yes. 14:04
22 Q Okay. Are those the -- is that an indication 14:05
23 of [REDACTED] [REDACTED]
[REDACTED] 14:05
25 MR. JAFFE: Objection; form. 14:05

Page 206

1 is diode lasers used in a laser system? 14:56

2 A Is that true? 14:56

3 Q I'm asking you: Are you aware? 14:56

4 A Oh, I am not aware, no. 14:56

5 Q Are you aware that there are vendors that 14:56

6 sell FAC lenses? 14:56

7 A No, I'm not -- I'm not aware of any, yeah. 14:56

8 MR. MUINO: I'm going to mark, as 14:56

9 Exhibit 1078, a product spec sheet from a company 14:56

0 called Hamamatsu entitled: 14:57

1 "FAC Lens Fast Axis Collimating Lens J10919 14:57

2 Series." 14:57

3 This was previously an exhibit that was 14:57

4 submitted to the Court, Document 182-9. 14:57

5 (Document marked Exhibit 1078 14:57

6 for identification.) 14:57

7 MR. MUINO: Q. Have you heard of the vendor 14:57

8 Hamamatsu? 14:57

9 A Yes. 14:57

10 Q And, what do you know about Hamamatsu? 14:57

11 A I know they're another, you know, like, 14:57

12 trickle and optical packaging company, much like 14:57

13 [REDACTED] I'd put them in that realm. 14:57

14 Q You weren't aware that Hamamatsu sells FAC 14:58

15 lenses? 14:58

Page 207

1 A No. 14:58

2 Q So, the first paragraph of this spec sheet 14:58

3 under "Overview" says: 14:58

4 "The J10919 series FAC lens is an optical 14:58

5 lens that collimates light spreading from a 14:58

6 semiconductor laser in the fast axis direction." 14:58

7 Do you see that? 14:58

8 A Yes. 14:58

9 Q Below there is a diagram under the title: 14:58

10 "Collimating Light." 14:58

11 And it shows a laser diode bar and a fast 14:58

12 axis, and to the right it shows collimation of light. 14:58

13 Do you see all of that? 14:58

14 A Yes, I see that. 14:59

15 Q Does it surprise you to see this in a public 14:59

16 product spec? 14:59

17 A Insofar that it is a FAC lens, it's doing 14:59

18 what a FAC lens does. I guess not. 14:59

19 Q Okay. So, it doesn't surprise you that FAC 14:59

20 lenses are publicly known -- 14:59

21 A No. 14:59

22 Q -- correct? 14:59

23 A It does not surprise me. 14:59

24 Q Okay. You personally weren't aware of that, 14:59

25 that FAC lenses were publicly known? 14:59

Page 208

1 A Can you be, like -- I weren't -- I was not 14:59
2 aware of that? Sorry. Are you referring to something 14:59
3 I said earlier? 14:59

4 Q Yeah. 14:59

5 A What are you getting at? 14:59

6 Q I was asking you before whether you were 14:59
7 familiar with FAC lenses outside of Google and Waymo, 14:59
8 and you said you weren't? 14:59

9 A Yes. You were referring to my previous 14:59
10 education and knowledge. I was not aware of them. 14:59

11 Q Okay. But, seeing this document in front of 14:59
12 you, it doesn't surprise you that FAC lenses are 15:00
13 available for sale through -- through at least this 15:00
14 vendor, Hamamatsu? 15:00

15 A Well, no. It's right in front of me. 15:00

16 Q Okay. If you look under "Features" on this 15:00
17 page, do you see the first bullet says: 15:00

18 "Aspheric micro cylindrical lens." 15:00

19 A Yep. 15:00

20 Q And so the lens -- FAC lens that's described 15:00
21 here is being described as cylindrical or micro 15:00
22 cylindrical; correct? 15:00

23 A Yes, aspheric micro cylindrical, yes. 15:00

24 Q Okay. Does that surprise you that there is a 15:00
25 public description of a cylindrical FAC lens in this 15:00

Page 209

1 document? 15:00

2 MR. JAFFE: Objection; form. 15:00

3 THE WITNESS: Surprise me if there -- that 15:00

4 there is a description of a micro cylindrical lens in 15:01

5 this document? 15:01

6 MR. MUINO: Yes. 15:01

7 THE WITNESS: No. 15:01

8 MR. MUINO: Q. Did you think that 15:01

9 cylindrical FAC lenses were unique to Google? 15:01

10 MR. JAFFE: Unique to Uber? 15:01

11 MR. MUINO: To Google. 15:01

12 MR. JAFFE: Oh, sorry. 15:01

13 THE WITNESS: Can you restate the question, 15:01

14 please? 15:01

15 MR. MUINO: Yeah. 15:01

16 Q Was it your belief, before seeing this 15:01

17 document, that cylindrical FAC lenses were unique to 15:01

18 Google? 15:01

19 A I wouldn't -- depends what you mean by -- 15:01

20 like, literally before seeing this document, if I 15:01

21 thought that cylindrical -- micro cylindrical lenses 15:01

22 were unique? 15:01

23 Q Yes. 15:01

24 A I mean, I -- sorry. That's a -- seems like a 15:01

25 deep question. Belief is, like, how deeply held that 15:02

Page 215

1 [REDACTED] in the Velodyne system; correct? 15:08

2 A Yeah, that's correct. 15:08

3 Q Okay. You are aware, from the Hamamatsu spec 15:09

4 document that we just looked at, that [REDACTED] [REDACTED]

D

[REDACTED] [REDACTED] correct? 15:09

7 MR. JAFFE: Objection; form. 15:09

8 THE WITNESS: Who -- I mean, who is the 15:09
9 public; right? Just, like -- like, someone on the 15:09
10 street? I asked them who had -- like, what a micro 15:09
11 had -- or a [REDACTED] is, would they know? Or 15:09
12 what do you mean? 15:09

13 MR. MUINO: Q. Anyone with a computer who 15:09
14 can search and find the Hamamatsu product spec online. 15:09

15 A If they were to search [REDACTED] 15:09
16 Hamamatsu, yes, that would be available to them. 15:09

17 Q The next phrase says: 15:09

18 [REDACTED] [REDACTED]
[REDACTED] [REDACTED] 15:09

21 Do you see that? 15:09

22 A Yes. 15:09

23 Q And so, what we just saw on that Hamamatsu 15:09
24 product spec showed [REDACTED] [REDACTED]

[REDACTED] 15:10

Page 216

1 [REDACTED] correct? 15:10

2 MR. JAFFE: Objection; form. 15:10

3 THE WITNESS: Can you restate the question, 15:10
4 please? 15:10

5 MR. MUINO: Yep. 15:10

6 Q What we just saw in the Hamamatsu product 15:10
7 spec, for the FAC lens, was a [REDACTED] being 15:10
8 configured to pre-collimate the beam [REDACTED] [REDACTED]

[REDACTED] ED

15:10

10 MR. JAFFE: Objection; form. 15:10

11 THE WITNESS: [REDACTED] [REDACTED]

[REDACTED] 15:10

13 MR. MUINO: Q. You see a laser diode; right? 15:10

14 A I do. 15:10

15 Q Okay. And you see that the beam is 15:10
16 pre-collimated in the direction -- well, parallel to 15:10
17 the -- to the laser diode; is that correct? 15:10

18 A Yeah, I do. 15:10

19 Q Okay. And then finally, the last phrase of 15:11
20 this says: 15:11

21 [REDACTED] [REDACTED]

[REDACTED] 15:11

23 Do you see that? 15:11

24 A I do see this, yes. 15:11

25 Q Okay. And, you said in the GBr3 and GBr2, 15:11

Page 217

1 the way that [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] 15:11

4 A Yes, in a particular way, yes. 15:11

5 Q Okay. The idea of [REDACTED] [REDACTED]
[REDACTED] [REDACTED] is that something that 15:11
7 you were aware of before you did it at Waymo? 15:11

8 MR. JAFFE: Objection; form. 15:11

9 THE WITNESS: Knowledge of specifically using 15:12

10 [REDACTED] [REDACTED]
[REDACTED] [REDACTED] 15:12

12 MR. MUINO: Sure. 15:12

13 THE WITNESS: I was not aware of [REDACTED] 15:12
14 before Waymo or Google. 15:12

15 MR. MUINO: Okay. 15:12

16 Q Were you aware of [REDACTED] [REDACTED]
[REDACTED] [REDACTED] a beam of light? 15:12

18 A Yes. 15:12

19 Q In what context were you aware of that? 15:12

20 A Well, I mean, I'm not an optical engineer, 15:12
21 but, you know, when you move optical lens elements, 15:12
22 it -- it moves light around. So yes, you can. 15:12

23 Q Would you say that's a pretty fundamental 15:12
24 known concept? 15:12

25 A That moving an optical element around moves 15:12

Page 218

1 light? Yes. That's the fundamentals of optics. 15:12

2 Q Okay. 15:12

3 A However, at -- you know, this is a very 15:12

4 specific -- like, it's not really the same thing here; 15:12

5 okay? 15:13

6 Q But, moving a -- repositioning a lens in 15:13

7 order to steer a beam of light is a pretty fundamental 15:13

8 concept in optics; correct? 15:13

9 MR. JAFFE: Objection; form. 15:13

10 A Fundamental to who? 15:13

11 MR. MUINO: Q. In optics -- in the field of 15:13

12 optics? 15:13

13 A I'm not an optical engineer. I can't speak 15:13

14 to that. 15:13

15 Q To your knowledge? 15:13

16 A To my knowledge of optics, it is -- you're 15:13

17 saying -- asking me if it's common -- it's common to 15:13

18 move a lens to move light? 15:13

19 Q Yes. 15:13

20 A I think it depends on the application of it. 15:13

21 I'm not -- if you can be more specific about that, or 15:13

22 maybe restate it, rephrase it. 15:14

23 Q Yeah, well, just following up on what -- 15:14

24 A Sure. 15:14

25 Q -- what we've already discussed, the idea of 15:14

Page 219

1 moving a lens so as to steer light going through it in 15:14
2 a certain direction is a fundamental concept in 15:14
3 optics; correct? 15:14

4 MR. JAFFE: Objection; form. 15:14

5 THE WITNESS: It depends who you would ask, 15:14
6 like, who it's fundamental to and what their 15:14
7 experience is. I'm not sure. I'm not an optical 15:14
8 engineer. 15:14

9 MR. MUINO: Q. So, I'd like to look at the 15:14
10 next -- the same page, page 8, but the next number. 15:14

11 A Yeah. 15:14

12 Q No. 10. And, if we look at the last bullet 15:14
13 under there, it says: 15:14

14 [REDACTED] 15:15
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

21 Do you see that? 15:15

22 A Yeah, can you give me a minute to review this 15:15
23 section? 15:15

24 Q Sure. 15:15

25 A Thank you. 15:15

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1 CERTIFICATE OF REPORTER
2

3 I, ANDREA M. IGNACIO, hereby certify that the
4 witness in the foregoing deposition was by me duly
5 sworn to tell the truth, the whole truth, and nothing
6 but the truth in the within-entitled cause;

7 That said deposition was taken in shorthand
8 by me, a disinterested person, at the time and place
9 therein stated, and that the testimony of the said
10 witness was thereafter reduced to typewriting, by
11 computer, under my direction and supervision;

12 That before completion of the deposition,
13 review of the transcript [x] was [] was not
14 requested. If requested, any changes made by the
15 deponent (and provided to the reporter) during the
16 period allowed are appended hereto.

17 I further certify that I am not of counsel or
18 attorney for either or any of the parties to the said
19 deposition, nor in any way interested in the event of
20 this cause, and that I am not related to any of the
21 parties thereto.

22 Dated: 7/13/2017

23 

24 ANDREA M. IGNACIO,

25 RPR, CRR, CCRR, CLR, CSR No. 9830